

**IN THE UNITED STATES DISTRICT COURT,  
FOR THE WESTERN DISTRICT OF MISSOURI**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 10-00324-06-CR-W-DW
	)	
PABLO FIGUEREDO-CHAVIANO,	)	
Defendant.	)	

**MOTION TO CONTINUE JURY TRIAL  
AND EXTEND MOTIONS DEADLINE**

Comes now defendant Pablo Figueredo-Chaviano, by and through undersigned counsel, and moves to continue the jury trial setting in the above-captioned matter to the Joint Accelerated Criminal Trial Docket commencing September 12, 2011, and to extend the motions deadline in this case from February 25, 2011 to July 12, 2011. In support of this motion, defendant states as follows:

1. The superseding indictment in this case, filed December 15, 2010, charges twelve (12) defendants in Count One with participating in a Class A multi-drug conspiracy extending from September 1, 2009 to the date of the superseding indictment. The superseding indictment also includes counts charging substantive drug offenses, illegal alien in possession of firearm, and conspiracy to commit money laundering. Two forfeiture allegations – tied to the drug conspiracy and money laundering conspiracy counts – seek forfeiture of over \$3 million in United States currency as well as real and personal property.

2. Of the twelve charged defendants, seven have appeared in court. Six of the appearing defendants are set for trial on the Joint Accelerated Criminal Trial Docket scheduled to begin April 25, 2011. One appearing defendant, Enrique Gonzales

Mendoza, is set on the Joint Accelerated Criminal Trial Docket scheduled to begin March 14, 2011. Government counsel has advised that another defendant has recently been arrested and should be making an initial appearance in this district next week.

3. Discovery in this case is exceptionally voluminous. The discovery produced to date includes some 1100 pages of Title III documents (applications, extensions, progress reports, etc.), 605 pages of ICE investigative reports, audio recordings of nearly 1200 intercepted telephone calls, and some 3080 pages of call transcripts. A preliminary review of this discovery reveals that all or nearly all of the intercepted phone calls are conducted in Spanish. The government-provided transcripts are English translations of the original conversations.

4. Counsel will be required to expend an unusually large amount of time in order to review the discovery in this case. In addition, the time needed to research and consider possible legal motions, assess the relative culpability (or lack thereof) of individual defendants, and engage in plea negotiations if appropriate will also be unusually extensive, as will the time required for trial preparation if necessary. Trial of this matter would likely take several weeks. In light of the foregoing, this case clearly cannot be ready for trial on the April 25, 2011 docket.

5. The undersigned has been in communication with counsel for each of the appearing defendants in this case, specifically:

- a) Jonathan Laurans, counsel for Brenda Casteneda (D-1);
- b) Thomas Fields, counsel for Mario Alberto Ramirez-Correa (D-4);
- c) Sean Pickett, counsel for Ossel Vidal de Prada (D-7);
- d) Brian Gaddy, counsel for Enrique Gonzales Mendoza (D-9);

- e) Dana Altieri, counsel for Guadalupe Carlos Sanchez (D-11); and
- f) John Lozano, counsel for Carlos Delgado Pena (D-12).

All of the above-named defense counsel have authorized the undersigned to state that they have no objection to this motion.

6. The undersigned also has contacted government counsel, Catherine Connelly, and has been authorized to state that the government does not oppose this motion.

7. Defendant understands and acknowledges that any delay caused by this motion shall be excluded from speedy trial calculations for purposes of 18 U.S.C. § 3161(h)(1)(F).

**WHEREFORE**, defendant respectfully requests the Court grant a continuance of the jury trial in this matter for all defendants to the Joint Accelerated Criminal Trial Docket commencing September 12, 2011, and to extend the deadline for submission of defense motions to July 12, 2011.

Respectfully submitted,

s/ John Jenab

John Jenab, MO Bar No. 47452

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Attorney for Defendant Pablo Figueredo-Chaviano

Certificate of Service

I certify that on February 25, 2011, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record in this case.

s/ John Jenab  
John Jenab